REMARKS/ARGUMENTS

The Applicants have filed the present Amendment concurrently with a Request for Continued Examination (RCE) pursuant to 37 C.F.R. § 1.114 in reply to the outstanding Final Rejection of May 19, 2003 and the Advisory Action of August 27, 2003. The Applicants believe the Amendment to be fully responsive to the Final Rejection for reasons set forth below.

In the Final Rejection, the Examiner first objected to the disclosure pursuant to 35 U.S.C. § 132, as allegedly introducing new matter into the disclosure as particularly recited in new Claim 79, which was added via Amendment of March 4, 2003. The Examiner further rejected Claims 74 and 79 pursuant to 35 U.S.C. § 102(e), as allegedly anticipated by Redfern (U.S. Patent No. 6,078,914). In the Advisory Action, the Examiner withdrew the objection to the disclosure pursuant to 35 U.S.C. § 132 (i.e., subject matter recited in Claim 79).

At the outset and before addressing the particular rejections raised in the Final Rejection, the Applicants have cancelled Claim 79 and have further amended Claim 74 with the subject matter of Claim 79 to more clearly recite the step of estimating the relative coverage of the plurality of third-party search engines. More specifically, the estimating step includes the steps of: i) determining a first value equal to the overlap number of pages in the filtered full list of results corresponding to each of the first and the second third-party engines divided by the number of pages in the filtered full list of the second third-party search engine; ii) determining a second value equal to a number of pages in the filtered full list of the first third-party search engine divided by the overlap number of pages in the filtered full list of results corresponding to each of the plurality of

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third-party engines; and iii) determining an estimate of the relative coverage of the

plurality of third-party engines by dividing the second value by the first value. Support

for the amendment is found in the specification as filed on page 38, lines 3-19 in view of

third-party engines; and iii) determining an estimate of the relative coverage of the

plurality of third-party engines by dividing the second value by the first value. Support

for the amendment is found in the specification as filed on page 38, lines 3-19 in view of

Figure 31 (emphasis added), as particularly expounded in the Response of August 18,

2003.

The Applicants respectfully disagree with the Examiner's allegations

pursuant to 35 U.S.C. § 102(e), and as a consequence, the Applicants proffer the

following arguments directed to the patentability of the claimed invention as particularly

recited in the amended Claim 74.

Insofar as rejections pursuant to 35 U.S.C. § 102(e) are concerned, it is

axiomatic that anticipation pursuant to § 102 requires that the prior art reference disclose

each and every element of the claim to which it is applied. In re King, 801 F.2d 1324,

1326 (Fed. Cir. 1986). Thus, there must be no differences between the subject matter of

the claim and the disclosure of the applied prior art reference. Stated another way, the

prior art reference must contain within its four corners adequate direction to practice the

invention as claimed. A corollary to the aforementioned rule, which is equally

applicable, states that the absence from the applied prior art reference of any claimed

element negates anticipation. Kloster Speedsteel AB v. Crucible Inc., 793 F.2d 1565,

1571 (Fed. Cir. 1986).

In traversing the rejection of Claim 74 pursuant to 35 U.S.C. § 102(e), the

Applicants respectfully submit that the primary reference to Redfern does not anticipate

the present invention, i.e., failing to disclose each and every element, as particularly

claimed in the independent Claim 74. More specifically, the Applicants respectfully

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submit that Redfern fails to disclose estimating the relative coverage of the plurality of third-party search engines, including the steps of determining a first value, determining a second value and determining an estimate. The Applicants respectfully submit that Redfern does not disclose determining the estimate of the relative coverage of the plurality of third-party search engines via the foregoing recited steps. Regarding the step of determining the first value (step (i)), the Examiner alleged that Redfern discloses this step in Col. 15, lines 19-31 (See Final Rejection, bottom of page 4). The Applicants respectfully disagree. The cited passage merely discloses selection criteria for selecting "cleaned up" segments that are no less than a predetermined level for output to the user. However, the selection criteria and selecting segments using the selection criteria do not disclose the claimed step of determining the first value, which is accomplished by dividing the overlap number of pages in the filtered full list of results corresponding to each of the first and the second third-party engines by the number of pages in the filtered full list of the second third-party search engine.

Regarding the step of determining the second value (step(ii)), the Examiner alleged that Redfern discloses this step in Col. 15, lines 60-67 and Col. 16, lines 1-27. The Applicants once again respectfully disagree. The cited passages merely disclose Appendices G and H, where Appendix G shows the actual HTML pages returned by each search engine and Appendix H shows the list of URLs that have been extracted from the pages in Appendix G. However, the Appendices G and H do no disclose the claimed step of determining the second value equal, which is accomplished by dividing a number of pages in the filtered full list of the first third-party search engine by the

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overlap number of pages in the filtered full list of results corresponding to each of the plurality of third-party engines.

Lastly, regarding the step of determining the estimate of the relative coverage (step (iii)), the Examiner alleged that Redfern discloses this step in Col. 16, lines 29-60 and Col. 18, lines 20-46. The Applicants once again respectfully disagree. The cited passage at Col. 16 merely discloses that Redefern allows a user to input a natural language query, search multiple and diverse databases, retrieve a plurality of information sources relevant to the query and extract relevant portions of information for presentation to the user. In addition, Col. 18 merely discloses the different Appendices that Redfern generates to accomplish the above-described Redfern processing. However, these foregoing do not disclose the claimed step of determining the estimate, which is accomplished by dividing the second value by the first value.

In view of the above, the Applicants respectfully submit that Redfern fails to disclose the step of estimating the relative coverage of the plurality of third-party search engines, including the steps of determining the first value, determining the second value and determining the estimate. Consequently, the Applicants respectfully request the Examiner to withdraw the rejection of the independent Claim 74 pursuant to 35 U.S.C. § 102(e).

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In view of the foregoing amendment and associated arguments, the

Applicants believe that the above-identified application is in condition for allowance and

henceforth respectfully solicit the allowance of the application. If the Examiner believes

a telephone conference might expedite the allowance of this application, the Applicants

respectfully request that the Examiner to call the undersigned, Applicants' attorney, at the

following telephone number: (516) 742-4343.

                                                    Respectfully submitted,

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